

MAY 22 2020

AO 91 (Rev. 08/09) Criminal Complaint

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America
v.
Raul SANTOS
YOB: 1985 Citizenship: United States

Case No. M-20-1031-MDefendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 13, 2020 to May 21, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 USC Section 554, 2
50 USC Section 4819

Offense Description

Did knowingly and unlawfully receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article, or object, to wit: five (5) AR-15 style firearms, defined by the Commerce Control List, knowing the same to be intended for exportation contrary to any law or regulation of the United States, in that the Defendant had not obtained a license or written authorization for such export, in violation of Title 50, United States Code, Section 4819 and Title 15, Code of Federal Regulations, Section 730 et seq., all in violation of Title 18, United States Code, Section 554.t, pr

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.

Approved by AUSA Kristina
Pekkala

/s/ Ryan McTaggart*Complainant's signature*Ryan McTaggart Special Agent HSI*Printed name and title*

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

Date: May 22, 2020 8:36 p.m.Peter E Ormsby*Judge's signature*City and state: McAllen, TexasPeter Ormsby United States Magistrate Judge*Printed name and title*

Affidavit

Prior to May 13, 2020, Eliud ISLAS (hereafter referred to as ISLAS) had been communicating via telephone with an undercover agent (UCA) on multiple occasions regarding the sale of firearms. In these communications, ISLAS told the UCA that ISLAS was trying to sell firearms and offered to sell firearms to the UCA. The UCA told ISLAS that the UCA was trying to export the firearms to Mexico. ISLAS told the UCA that the firearms ISLAS was selling would be well-liked by the people in Mexico. ISLAS said he knew people in Mexico needed firearms. ISLAS agreed to meet the UCA on May 13, 2020 to sell multiple firearms to the UCA.

On May 13, 2020, ISLAS meet with two UCAs in Mission, Texas. During the meeting, ISLAS sold the UCAs two (2) AR-15 style firearms which the UCAs stated they intended to smuggle into Mexico immediately after the meeting.

SAs conducting surveillance of the meeting between ISLAS and the UCAs observed ISLAS depart from the meeting driving in tandem with a white BMW bearing Texas license plates.

SAs maintained surveillance of both ISLAS vehicle and the white BMW as they traveled in tandem to a location a short distance from the location where ISLAS meet with the UCAs. At that location, SAs observed the driver of the white BMW, later identified as Raul SANTOS (hereafter referred to as SANTOS) exit the vehicle and get into the passenger side of ISLAS vehicle.

A short time later SANTOS exited from ISLAS vehicle and returned to the white BMW. ISLAS and SANTOS then departed from the location.

Surveillance of both vehicles was maintained, and they traveled away from the location appearing to head towards different final destinations. A marked Texas DPS unit observed a motor vehicle violation and conducted a traffic stop on the white BMW and identified the driver of the vehicle as SANTOS.

Record checks conducted on the white BMW revealed the vehicle was registered to SANTOS.

On May 13, 2020, after the meeting between ISLAS and the UCAs, ISLAS communicated with the UCA via text message. During the communications, ISLAS advised the UCA that ISLAS friend had eight (8) additional firearms available.

On May 18, 2020, ISLAS communicated with the UCA via text message. During the communications, ISLAS advised that ISLAS had three (3) firearms, which were the same as the previous firearms ISLAS sold to the UCA, available for sale.

On May 20, 2020, ISLAS communicated with the UCA via text message. During the communications, ISLAS advised the UCA that the firearms ISLAS had available were from the same person as the previous firearms. ISLAS and the UCA agreed to meet the following day for ISLAS to sell the firearms to the UCA.

Affidavit

On May 21, 2020, during a recorded telephone call, ISLAS advised the UCA that ISLAS was traveling to meet with the UCA and sell the UCA firearms, but ISLAS needed to stop and pick up the firearms prior to meeting with the UCA.

On May 21, 2020, SAs conducting surveillance of ISLAS observed ISLAS travel to the SANTOS residence. At SANTOS residence, SAs observed the same white BMW bearing Texas license plates, that SAs observed during the May 13, 2020, purchase of firearms from ISLAS, parked in the residence garage.

On May 21, 2020, SAs observed an individual, later identified as SANTOS, walk from the opened garage and meet with ISLAS at ISLAS vehicle. During the meeting, SAs observed SANTOS carrying what appeared to be a bag, with black handles, and then placing the object on the passenger side of ISLAS vehicle.

SAs then observed ISLAS depart from SANTOS residence. SAs also observed SANTOS entering a separate vehicle and departing from the residence in tandem with ISLAS.

Surveillance of SANTOS and ISLAS was maintained as they traveled in tandem to the location where ISLAS had agreed to meet the UCA and sell the firearms.

At the meeting location, SAs observed ISLAS and SANTOS driving around the area in a manner SAs know to be consistent with individuals conducting counter surveillance, before they departed the location in tandem.

On May 21, 2020, during a recorded telephone call, ISLAS told the UCA that they had noticed a large law enforcement presence at the agreed upon meeting location, so ISLAS had traveled to a new meeting location a short distance away.

SAs maintained surveillance of ISLAS as ISLAS traveled to the new meeting location. At the new location provided by ISLAS, ISLAS was placed under arrest. Inside ISLAS vehicle SAs located three (3) AR-15 style firearms under the rear passenger seat.

At the new meeting location SAs also observed SANTOS vehicle and when law enforcement approached ISLAS, SANTOS attempted to flee from the area via the exit opposite ISLAS location.

On May 21, 2020, under rights advisement and waiver, ISLAS stated the firearms ISLAS sold the UCA on May 13, 2020, had been purchased from SANTOS, and SANTOS had traveled to the meeting location with ISLAS in order to conduct counter-surveillance and ensure they were not caught. ISLAS stated SANTOS provided the firearms to ISLAS and SANTOS knew the firearms were intended to be sold to individuals who would smuggle them into Mexico.

ISLAS also stated on May 22, 2020, ISLAS received the firearms discovered in ISLAS vehicle from SANTOS at SANTOS residence and SANTOS had had traveled to the meeting location with ISLAS in order to conduct counter-surveillance and ensure they were not caught. ISLAS

Affidavit

stated SANTOS provided the firearms to ISLAS and SANTOS knew the firearms were intended to be sold to individuals who would smuggle them into Mexico.

According to the Bureau of Industry and Security, an AR-15 style rifles are regulated for export on the Commerce Control List (50 U.S.C. 4819).